

Message Text

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ACTION DLOS-07

INFO OCT-01 ARA-16 EUR-25 ISO-00 CIAE-00 DODE-00 PM-07

H-03 INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01

SP-03 SS-20 USIA-15 CG-00 AID-20 CEQ-02 COA-02

COME-00 EB-11 EPA-04 IO-14 NSF-04 SCI-06 FEA-02

ACDA-19 AEC-11 AGR-20 DOTE-00 CIEP-03 FMC-04 INT-08

JUSE-00 OMB-01 CEA-02 SAJ-01 TRSE-00 DRC-01 OIC-04

AF-10 EA-11 NEA-14 /298 W
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R 300237Z AUG 74

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 5651

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY BRUSSELS

USNATO BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY HAGUE

AMEMBASSY LISBON

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY OSLO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY REYKJAVIK

USUN NEW YORK 819

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E.O. 11652: N/A

TAGS: PLOS

SUBJECT: STRAITS AND NAVIGATION MEETING OF NATO TREATY
SIGNATORIES

1. US REP. MOORE AND STRAITS TEAM HOSTED MEETING 27 AUGUST IN US DELEGATION OFFICES WITH REPRESENTATIVES OF ALL SIGNATORIES TO NORTH ATLANTIC TREATY EXCEPT LUXEMBOURG TO DISCUSS HARMONIZING STRAITS AND NAVIGATION POSITIONS IN INTEREST OF ALLIANCE.

2. MOORE SUMMARIZED US PERCEPTION OF FAVORABLE STRAITS TRENDS THIS SESSION, CRITICAL NATURE OF ACHIEVING SATISFACTORY STRAITS REGIME, IMPORTANCE OF LIMITING COASTAL STATE RESIDUAL RIGHTS IN ECONOMIC ZONE TO THOSE RELATED TO RESOURCES, AND IMPORTANCE OF INSURING THAT HIGH SEAS BEGIN AT 12 MILES TOGETHER WITH RETENTION IN INTERNATIONAL COMMUNITY OF THOSE HIGH SEAS RIGHTS NOT SPECIFICALLY MODIFIED BY CONVENTION.

3. NORWAY STATED THAT THE ECONOMIC ZONE MUST BE BASICALLY LIMITED TO RESOURCES, BUT THE COASTAL STATE SHOULD HAVE CAREFULLY DEFINED RIGHTS AND DUTIES WITH RESPECT TO SCIENTIFIC RESEARCH AND POLLUTION. STRAITS STATES SHOULD HAVE SOME LIMITED REGULATORY JURISDICTION IN STRAITS.

4. CANADA (LAPOINTE), AFTER ENDORSING AVOIDANCE OF UNNECESSARY IMPEDIMENTS TO MARITIME COMMERCE, SPOKE TO IMPORTANCE OF COASTAL STATE RESIDUAL RIGHTS IN ECONOMIC ZONE. THOUGH A SPECIAL REGIME SHOULD BE RECOGNIZED IN STRAITS IN DEFERENCE TO NAVIGATION, RESTRICTIONS ON FREEDOMS IN STRAITS ARE WARRANTED BY SPECIAL CIRCUMSTANCES. CANADA DID NOT SHARE VIEW THAT UNIMPEDED PASSAGE REGIME WAS GAINING ADHERENTS, AND DECLARING ANY PROGRESS OBSERVED TOWARD UNIMPEDED PASSAGE WAS AMONG THOSE STATES NOT AFFECTED. ACCORDING TO CANADIAN REP. WE CANNOT SUCCESSFULLY PUSH POLICIES WHICH ARE CONTRARY TO SECURITY AND ECONOMIC NEEDS OF MANY NATIONS. NEW ADVANCES IN TECHNOLOGY, HE SAID, MAKE UNIMPEDED TRANSIT, AND PARTICULARLY SUBMERGED TRANSIT, LESS NECESSARY, SINCE EQUIPMENT WILL SOON BE READILY AVAILABLE ON THE OPEN MARKET BY WHICH DETECTION AND IDENTIFICATION OF SUBMARINES TRANSITING STRAITS WOULD BE POSSIBLE.

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5. ICELAND STRONGLY SUPPORTED A PACKAGE SOLUTION OF 12 MILE TERRITORIAL SEA, 200 MILE ECONOMIC ZONE, AND UNIMPEDED PASSAGE OF STRAITS, WITH UNIMPEDED PASSAGE AN INDISPENSABLE ELEMENT. ECONOMIC ZONE NEEDS CAREFUL SPELLING OUT TO VOID NECESSITY OF REFERRALS TO DISPUTE SETTLEMENT.

6. GREECE, DECLARING ITS STRONG INTERESTS IN BOTH MILITARY AND COMMERCIAL NAVIGATION, STATED THAT IN ITS VIEW NON-SUSPENDABLE

INNOCENT PASSAGE REACHED THE APPROPRIATE BALANCE IN STRAITS,
AND APPEARED THE MOST LIKELY RESULT. GREECE HAD AVOIDED TAKING
STRONG POSITIONS, HOWEVER, OUT OF DEFERENCE TO ALLIANCE.

7. NETHERLANDS SUPPORTED UNIMPEDED TRANSIT, AND URGED RECOGNITION
OF LEGITIMATE INTERESTS OF COASTAL STATES AS TO POLLUTION.

8. UNITED KINGDOM EMPHASIZED IMPORTANCE OF GAINING BROAD SUPPORT
FOR UNIMPEDED PASSAGE, PARTICULARLY WITH RESPECT TO GAINING
FURTHER SUPPORT FOR THEIR L.3. DRAFT, STATING THERE WAS NO VALUE
IN GOOD CONVENTION NOT WIDELY RATIFIED. SUPPORTED STRICT LIMITATION
OF COASTAL STATE RIGHTS IN ECONOMIC ZONE TO AVOID ARBITRARY
ENFORCEMENT. URGED EXAMINATION OF OTHER TREATIES IN WHICH TERM
QUOTE HIGH SEAS UNQUOTE APPEARS IN ORDER TO DEVELOP ARGUMENT THAT
BROAD-REACHING IMPLICATIONS OF ANY CHANGE OF DEFINITION REQUIRE
THAT HIGH SEAS CONTINUE TO BEGIN AT 12 MILES.

9. TURKEY WELCOMED RECOGNITION IN ALL DRAFT ARTICLES THAT REGIME
ESTABLISHED BY MONTREAUX CONVENTION SHOULD NOT BE DISTURBED.

10. DENMARK STATED THAT CERTAIN STRAITS NEED SPECIAL REGIMES AND
FAVORED ADOPTION OF 6-MILE STRAITS EXCEPTION.

11. RESPONDING TO CANADA, RADM MORRIS STATED THAT HE HAD STUDIED
CAREFULLY MOST RECENT TECHNOLOGICAL DEVELOPMENTS IN FIELD OF
DETECTING SUBMARINES, AND TO HIS KNOWLEDGE THERE WAS NOTHING IN
BEING OR LIKELY IN OUR LIFETIMES WHICH WOULD ACHIEVE THE EXACTIT-
UDE OF DETECTION CANADA HAD INDICATED WAS IMMINENTLY POSSIBLE. RIGHTS
OF UNIMPEDED TRANSIT UNDER, ON, AND OVER STRAITS ARE INDISPEN-
SABLE AT THIS TIME AND WILL BE FORESEEABLE FUTURE.

12. MOORE RESPONDED STATING THAT PRIVATE AND PUBLIC STATEMENTS
HAD SUPPORTED OUR PERCEPTION OF TREND TOWARD FREE TRANSIT. NOT
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ONLY MUST WE BE REALISTIC ON WHAT OUR ALLIANCE NEEDS IN THE WAY OF

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NAVIGATION RIGHTS, BUT OTHER STATES MUST BE AWARE THAT MOST STATES
IN THIS ALLIANCE AND MANY OTHERS CONSIDER A REGIME OF LESS THAN
FREE TRANSIT TOTALLY UNACCEPTABLE. ENERGY CRISIS HAD RE-
EMPHASIZED THIS. IT IS IMPORTANT TO MEET LEGITIMATE NEEDS OF
STRAITS STATES FOR SAFETY, SECURITY, AND POLLUTION BY PUTTING BINDING
OBLIGATIONS ON TRANSITING STATE, BUT WITHOUT GIVING STRAITS STATE
OPPORTUNITY TO IMPEDE UNNECESSARILY. IN CONCLUDING, MOORE
EMPHASIZED IMPORTANCE OF SPECIFYING RIGHTS IN ECONOMIC ZONE WHICH

ARE LIMITED TO ECONOMIC ASPECTS, AND GIVING RESIDUAL RIGHTS
TO THE INTERNATIONAL COMMUNITY.

13. COMMENT: SUBSEQUENT TO MEETING SEVERAL PARTICIPANTS INDICATED
THEIR APPRECIATION OF US INITIATIVE IN ORGANIZING VALUABLE
MEETING, AND URGED CONTINUED USE THIS FORUM, PARTICULARLY USEFUL
IN EXPOSING CANADIAN POSITION AND IN ENCOURAGING A CLOSING OF
RANKS WITHIN ALLIANCE. RECOMMEND A LOS ITEM LIMITED TO SECURITY
ISSUES BE INCLUDED IN NATO MINISTERIAL MEETING AGENDA AT EARLIEST
OPPORTUNITY IN ORDER TO ACHIEVE MAXIMUM EFFECT ON MEMBERS STATES
DECISION-MAKING PROCESSES BEFORE NEXT SESSION OF CONFERENCE.

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